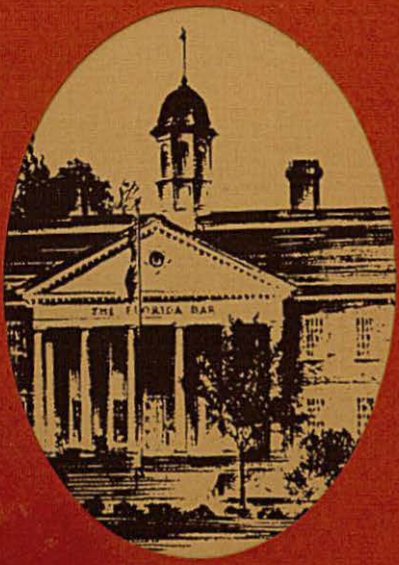
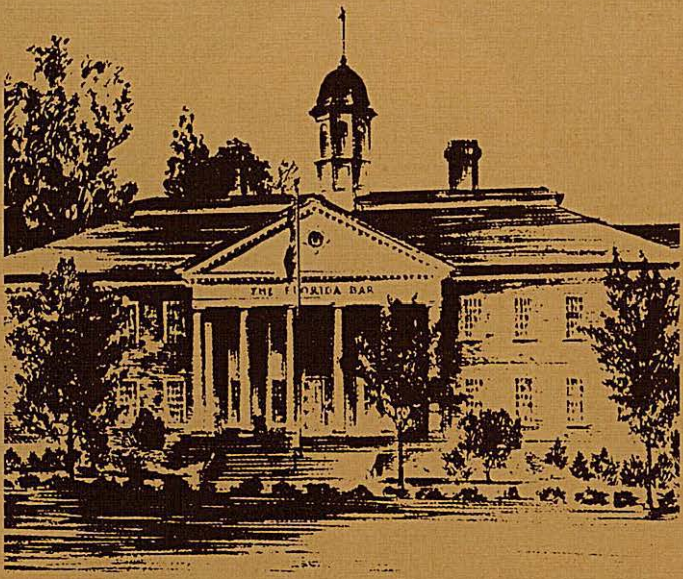
Fla. V.F. Fla. Bar Assoc



FLA. VERTICAL FILE

The Story of The Florida Bar



"To inculcate in its members the principles of duty and service to the public, to improve the administration of justice, and to advance the science of jurisprudence. . ."

Preamble, Integration Rule of
The Florida Bar, March 4, 1950

Public Information and
Bar Services Department
The Florida Bar
Tallahassee, Florida 32301-8226

Rev. 10/83

1 History
5 Governing Body
5 Staff
5 Certification
6 Designation
6 Continuing Legal Education
7 Lawyer Regulation
8 Unauthorized Practice of Law
8 Lawyer Referral Service
9 Public Information and Bar Services
10 Research Library
10 Legislation
10 The Journal and News
11 Clients' Security Fund
11 Sections and Committees
11 Group/Prepaid Legal Services
12 Public Interest Programs and Services
12 The Florida Bar Foundation
13 Voluntary Bar Associations
13 Conclusion

The Florida Bar, with its headquarters on a two-acre site just three blocks from Florida's Capitol in Tallahassee, is the third largest unified bar association in the United States. However, the Bar, like any young organization, had a very small beginning. Over the years, and through the efforts of many dedicated and hard working individuals, the Bar has grown into the prestigious and thriving organization that it is today.

The history of the "bar" as an organization dates back to the early 1300s when a small group of practicing lawyers and judges organized and began to call themselves a "bar." The term originated when King Edward II established a system of courts throughout his kingdom. Judges moved from village to village, settling the disputes of the people in surrounding communities. Our legal system still follows much the same practice today, as judges travel from courthouse to courthouse to hear cases.

The people of this early era found most of their entertainment and education in public gathering places. Hearing the plights of fellow villagers was a perfect diversion for them. As the courts grew in number, more and more people began attending these sessions as a social rendezvous. Consequently, the court sessions had to be moved to the fields or commons to accommodate the crowds.

Soon it became necessary to set up boundaries separating the spectators from the proceedings. This was accomplished by surrounding the court with a square of logs. Only those persons who were part of the court or party to the argument were allowed within the square of logs or "bars." Thus, the terminology, "admission to the bar," became synonymous with practicing law. The term "bar" since has come to mean an organized group practicing law in a given area.

These events laid the foundation for the establishment of the Boston Bar Association almost 400 years later, in 1761. This bar is the oldest

reported legal association in the United States. It originally drew together some of the first lawyers in the colonies.

Recorded history of the bar in Florida dates back to 1889. It consisted of a small voluntary group of the few lawyers Florida had at a time when the population was less than 400,000 persons. Out of this, however, grew the Florida State Bar Association in 1907. Still a voluntary organization, it concentrated its attention on publishing a legal journal, drafting court procedures, and presenting occasional educational courses for lawyers. It helped to provide legislative reform having to do with the courts and the legal profession. Membership in this voluntary association never exceeded 2,500 lawyers.

The close of World War I in 1920 brought about sharp growth in the number of lawyers in Florida. But they still had no mandatory organization, and fewer than two-thirds of them belonged to the voluntary state bar association.

In the 1930s, it was proposed for the first time that all lawyers, upon admission to practice, be required to be members of the Florida State Bar Association. Many felt that if all lawyers were members of the Bar, communication would improve and the disciplining of unethical lawyers would be simplified. Such bar associations with mandatory membership are called "unified" or "integrated."

The Supreme Court of Florida, which had (and still has) jurisdiction over lawyers, rejected this initial proposal. Then in 1947, Bar leaders once more approached the court to ask for compulsory membership of all Florida lawyers in the Bar. They showed the court results of a poll indicating that the majority of Florida lawyers agreed that a change in the Bar structure was needed. These Bar leaders argued that only through an integrated organization of all Florida lawyers could lawyers receive uniform education on changes in Florida law and court procedures. An integrated Bar organization also would pave the way for a uniform discipline system,

capable of weeding out unethical lawyers and assuring the public that only lawyers with high standards would be allowed to practice law.

In the summer of 1949, the Supreme Court of Florida told state Bar officials to proceed in forming an integrated bar. As a result, the Florida State Bar Association met for the last time in April 1950. Its members shortened the name of their association to "The Florida Bar," dropping "State" and "Association." The 3,758 lawyers in Florida automatically became members of The Florida Bar that same year.

By the early 1960s, the Bar had grown to include 7,000 members. Ten years later, The Florida Bar had a membership of 12,000 lawyers. By August 1, 1980, some 27,000 lawyers were members of The Florida Bar.

This rapid growth in Bar membership over the years brought the need for an expanded staff of full-time professionals to administer the varied programs of Florida lawyers and judges. From a one-member staff located in the Supreme Court Building, The Florida Bar expanded until, in 1958, it became necessary to seek new headquarters.

The Bar leased space for its operation in the Petroleum Building in Tallahassee until it became apparent, with the continuing increase in Bar membership and the growth in staff it required, that the Bar needed its own, permanent headquarters. A statewide fund-raising campaign to build and equip a building for The Florida Bar was begun in 1964. Florida lawyers and judges responded enthusiastically with volunteer contributions.

The Florida Bar's new headquarters was dedicated on October 8, 1966. The Florida Bar Center, just three blocks from the Capitol on the corner of Apalachee Parkway and Franklin Boulevard, is a three-story red brick building patterned after the architecture of Colonial Williamsburg. Its colonial design is highlighted in its Flemish bond brick work and six large pillars at the front entrance. Facilities include offices for staff

members, a Board meeting room, a production department and a visiting lawyer's office.

The Center houses typesetting, printing and mailing equipment which allows most Bar mailings to be produced in-house. Efficient handling of membership and discipline data is ensured by a computer in the headquarters office with terminals in the branch offices.

Programs for the public and for Bar members grew at such a rate that in the early 1970s an addition to the existing Bar Center became imperative. Once again, the membership responded with funding, and on October 26, 1976, the new 23,000-square-foot addition was dedicated. Its facilities include a multipurpose conference room with 150-seat capacity, two smaller conference rooms, a reference library, a word processing center and a videotaping center. New equipment for videotaping of continuing legal education (CLE) courses was purchased. These tapes are now shown throughout the state, bringing the best CLE speakers to as many locations as possible and are available to members on a loan basis.

The Florida Bar also maintains branch offices in Miami, Tampa, Ft. Lauderdale and Orlando. The

Tallahassee branch office is housed within the headquarters building. These branches are staffed

with full-time Bar employees, lawyers and nonlawyers who work primarily on lawyer regulation and discipline. Meeting space is available at all branch offices.

GOVERNING BODY

The Florida Bar has three officers: the president, president-elect and executive director. These officers work with the Bar's Board of Governors to determine the policies and operations of The Florida Bar. The Board of Governors is composed of the Bar's president and president-elect, the president and president-elect of the Young Lawyers Section (Bar members under 36 years of age, representing almost half of the Bar's membership), 34 representatives elected by members of the Bar in the State's 20 judicial circuits and a representative elected by the over 7,000 nonresident members of the Bar.

STAFF

Nearly 200 dedicated full-time and part-time staff members, lawyers and nonlawyers, work to serve the needs of and to coordinate the work for the vast membership of The Florida Bar. Most of the staff works at the Bar Center in Tallahassee, but many employees work at the branch offices. The staff is headed by an executive director who is responsible to the Board of Governors and the membership for the operation of the Bar.

CERTIFICATION

The Florida Certification Plan allows members of The Florida Bar to inform the public concerning areas of law practice in which such members have become certified as having special knowledge, skills and proficiency. Certification is available in the areas of Civil Trial and Tax.

Requirements include five years of law practice, substantial involvement, continuing legal education, satisfactory peer review and successful passage of

an examination. Lawyers who are "Board Certified" may advertise that fact in the manner and locations permitted under the Code of Professional Responsibility.

DESIGNATION

Members of The Florida Bar may request permission to designate up to three areas of law in which they concentrate their practices. Members who designate must have accumulated both substantial experience and education in their designated areas. To inform the public of their designated areas, lawyers may list them in the manner and locations permitted under the Code of Professional Responsibility.

To continue in the program, participating lawyers must show proof every three years that they devoted at least 30 hours to furthering their education in each designated area. Continuing legal education courses offered regularly by the Bar and other sponsors help lawyers fulfill this periodic requirement.

CONTINUING LEGAL EDUCATION

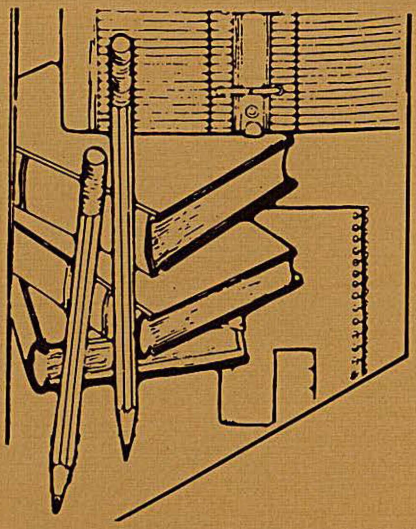
The continuing legal education (CLE) programs department of the Bar provides an ongoing series of educational courses to keep Florida lawyers up-to-date with changes in the law so they can better serve their clients.

These courses are presented by practicing lawyer volunteers throughout the state. Nearly 90 percent of these programs also are videotaped for subsequent use by local voluntary bar associations and individual members.

The primary objective of the CLE publications department is to provide "how-to-do-it" practice manuals for lawyers. Each manual is written by experienced practitioners. Staff lawyers carefully edit all material both for substance and to ensure a quick reference, easy-to-read style.

A wide range of manuals has been produced during the past several years, and supplements or

new editions have been published as required by significant changes in the law. The department also publishes pamphlets containing rules of procedure



adopted by the Supreme Court of Florida. A catalog of available publications can be obtained from CLE Publications, The Florida Bar, Tallahassee, Florida 32301-8226.

LAWYER REGULATION

The ethics and lawyer regulation department of the Bar is responsible for monitoring the conduct and integrity of all members of the Bar. All lawyers must meet the minimum standards of conduct set forth in the Code of Professional Responsibility of The Florida Bar. Failure to abide by the Code subjects a lawyer to disciplinary action, which may be initiated by a member of the public, the Bar or any other party who has information regarding alleged misconduct.

Complaints against Florida lawyers are considered by local grievance committees composed of both lawyer and nonlawyer members. If the committee finds evidence of misconduct, the matter will be heard by a circuit court judge.

Disciplinary proceedings against lawyers generally become public information after the committee files a formal complaint against the lawyer involved.

UNAUTHORIZED PRACTICE OF LAW

In accordance with a mandate from the Supreme Court of Florida, The Florida Bar maintains committees around the state to investigate cases of alleged unauthorized practice of law. These committees investigate unlicensed persons apparently practicing law to guard the public against potential legal problems arising out of errors caused by such unqualified persons. Both lawyers and nonlawyers are included in the Bar's Standing Committee on the Unauthorized Practice of Law.

LAWYER REFERRAL SERVICE

The Florida Bar operates a statewide lawyer referral service to help members of the public obtain assistance in dealing with their legal problems. Many Florida cities have lawyer referral services sponsored by local voluntary bar associations. The telephone numbers of local lawyer referral services are listed in the yellow pages of the telephone directory. The Florida Bar Lawyer Referral provides a statewide toll-free number, 1-800-342-8011, for persons living in areas without a local referral service.

Through the referral service, a caller is given the name of a lawyer in his or her locale who handles the type of legal problem in question. The lawyer will consult with the caller for the first one-half hour for a minimal fee.

Senior citizens, the mentally and developmentally disabled, and marginally poor persons also can obtain low cost legal services through The Florida Bar Lawyer Referral Service. The Elderly Referral Panel offers persons over 60 years of age, who are on a low, fixed income, an initial half-hour consultation with a lawyer at no charge. Additional legal fees are provided at a reduced rate.

The Low Fee Panel offers a free half-hour consultation and further legal services at a reduced cost to persons who do not meet all the criteria [(Requirements)] of legal aid or federally funded legal services offices. The Disability Panel refers clients with legal matters related to a mental, developmental or physical disability to lawyers interested in helping in this special area of law. Fees are determined according to the client's ability to pay.

PUBLIC INFORMATION AND BAR SERVICES

The Public Information and Bar Services Department works with virtually all elements of The Florida Bar and all groups served by the Bar and the legal profession. Standing Board Policy 15.10 outlines the department's responsibilities in detail.

Among its primary responsibilities is liaison with the public, Florida's 75-plus local voluntary bar associations, Bar members, the courts, the news media and specific committees and groups related to those publics. Staff support is provided for the Public Relations Committee, Member Relations Committee (including four subcommittees: Government Lawyers, Out-of-State Practitioner, Corporate Counsel, Private Practitioner), Media Relations Committee, Voluntary Bar Association Liaison Committee (including Law Week subcommittee), Florida Council of Bar Association Presidents and Florida Council of Bar Executives.

It develops and distributes public education/information pamphlets, news releases and other promotional materials; both enters and conducts awards competitions for media, local voluntary and state bar activities; conducts educational workshops and conferences for local bars (Bar Leaders Conference) and the news media (Media-Law Conference), produces public service and advertising campaigns for radio, television and

newspapers on legal needs and legal services; responds to information requests from the public, media, Bar members, courts and other Bar organizations; advises Bar leadership and other elements of the Bar on public relations implications of current and proposed operations, programs and policies, as well as public needs relating to the legal profession and the Bar.

RESEARCH LIBRARY

The Florida Bar's Research Library is a component of the Public Information and Bar Services Department. As a reference source, primarily for staff, the library includes past issues of The Florida Bar *Journal* and *News* and numerous other legal journals, magazines and publications to which the Bar has subscriptions. Microfilming of Bar files and records is also performed by this research library.

LEGISLATION

The Florida Bar supports or opposes a limited amount of legislation which it believes is significant to the judiciary, the administration of justice, and the fundamental legal rights of the public. Florida lawyers give countless hours of their time, at no cost, to this legislative effort, testifying in their specific areas of expertise and helping to draft legislation.

THE JOURNAL AND NEWS

The Florida Bar **Journal,** a magazine published monthly, and The Florida Bar **News,** a tabloid magazine published twice monthly, are the two official publications of the Bar. The **Journal** also publishes an annual directory issue each September, listing all Florida Bar members and all pertinent reference information about Florida's courts and legal groups.

CLIENTS' SECURITY FUND

The Florida Bar Clients' Security Fund was created by Florida lawyers in 1967 to repay clients who suffer financial losses due to misappropriation of funds by errant Florida Bar members. A victimized client may receive up to $20,000 from the Fund, which is financed solely by Florida lawyers through an assessment included in their annual dues. To date, more than $1-million has been presented by the Fund.

SECTIONS AND COMMITTEES

Through 15 sections and more than 50 standing and special committees, Bar members become more involved in particular areas of law that interest them. Section membership is voluntary, and dues are collected annually (except for the Young Lawyers Section which has no dues, but has an automatic membership of all Florida Bar members under 36 years of age). Some 21,000 Bar members belong to one or more of the sections, excluding the Young Lawyers Section which has a membership of over 15,000 persons.

Committees deal with specific areas of law, and often a special committee will research a particular matter. Committee membership also is voluntary, and no annual dues are collected. Committee members and chairpersons are appointed each year by the president-elect.

GROUP/PREPAID LEGAL SERVICES

Group and prepaid legal services plans are generally designed to provide legal services to members of organized groups at an affordable fee (similar to group health insurance plans). These plans are based on the principles of group purchasing power, spreading the cost of services over a large number of people. Some plans are now offered to individuals. Group and prepaid plans are regulated by the Florida Department of Insurance or The Florida Bar. The Florida Bar

organized a modified open panel prepaid plan in 1978 that is available to interested groups. This plan can provide up to $16,000 for legal fees at an approximate cost of $120 per year for family coverage.

The Florida Bar actively supports the development of group/prepaid legal services as a means of providing greater public access to legal services at reasonable costs.

PUBLIC INTEREST PROGRAMS AND SERVICES

The Florida Bar's public interest programs and services department exists to assist Bar members in fulfilling their obligation to provide legal assistance in the interest of the public. The department was organized in 1979 from several existing programs to handle the Bar's expanding public interest activities.

Major responsibilities of the department include Group/Prepaid Legal Services; Disability Law; Clients' Security Fund administration; the Lawyer Referral Service; the Inmate Grievance Project; and development and implementation of new programs related to the legal needs of the poor and other areas of public interest law. Most of the programs are directly related to the activities of numerous Bar committees.

THE FLORIDA BAR FOUNDATION

The Florida Bar Foundation is a separate and distinct organization from The Florida Bar. It was established in 1956 to be operated exclusively for charitable, scientific, literary and educational endeavors. The Foundation's Interest on Trust Accounts Program provides funds for such purposes as: legal assistance to the poor, scholarship loans to law students, projects to improve the administration of justice and programs to benefit the public as approved by the Supreme Court of Florida. The Florida Bar Foundation is

governed by a board of directors elected to three-year terms by the Foundation membership.

VOLUNTARY BAR ASSOCIATIONS

Groups of lawyers and judges have formed over 100 voluntary bar associations throughout Florida. These associations extend the programs of the state bar into each community. Many voluntary bar associations undertake ambitious projects such as legal aid offices, legal forums and lawyer referral services. Annual Law Week activities, designed to make the public more aware of the laws that govern them, are sponsored by The Florida Bar and voluntary bar associations during the last week of April each year, concluding on the nationally recognized Law Day, May 1.

Voluntary bar liaison is maintained by the public information and bar services department at the Bar Center in Tallahassee.

CONCLUSION

Each division and department of the Bar plays an important role in its continued operation from the staff, to the Board of Governors and officers, each person is equally important in contributing to the high standards of excellence that continue to be associated with The Florida Bar. □

This pamphlet is published by The Florida Bar Public Information and Bar Services Department as a public service. Single copies of the pamphlets listed below are free upon request. To request information on obtaining a quantity of any of the pamphlets, write to Public Information and Bar Services Department, The Florida Bar, Tallahassee, Florida 32301-8226.

Adoption in Florida
Bankruptcy
Buying a Condominium
Buying a Home
Complaint Against a Florida Lawyer?
Divorce in Florida and Your Rights
Do You Have a Will?
Guide to Florida's Court System
Handbook for Jurors
If You Are Arrested in Florida
Juvenile Arrest
Lawyer Referral Service
Legal Assistance in Florida
Legal Rights of Senior Citizens
Marriage
So You Want to Be a Lawyer
So You're Going to Be a Witness
What to Do in Case of an Automobile Accident

0283R